

P-407/CP-93-256 ORDER FINDING ADJACENCY AND REQUIRING FURTHER
FILINGS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
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Cynthia A. Kitlinski
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Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition for
Extended Area Service from
Ray/Kabetogama to International
Falls

ISSUE DATE: August 27, 1993

DOCKET NO. P-407/CP-93-256

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PROCEDURAL HISTORY

On April 5, 1993, customers in the Ray/Kabetogama exchange filed a petition seeking extended area service (EAS) to International Falls. Both Ray/Kabetogama and International Falls are served by GTE Minnesota (GTE).

On May 24, 1993, GTE filed a study of the traffic from Ray/Kabetogama to International Falls, Ranier, and Ericsburg.

The matter came before the Commission for consideration on August 10, 1993.

FINDINGS AND CONCLUSIONS

A successful EAS petition must satisfy the following three criteria from the EAS statute, Minn. Stat. § 237.161:

1. The petitioning exchange is contiguous to an exchange or local calling area to which extended area service is requested in the petition;
2. Polling by the Commission shows that a majority of the customers responding to a poll in the petitioning exchange favor its installation, unless all parties and the Commission agree that no polling is necessary;
3. At least 50 percent of the customers in the petitioning exchange make one or more calls per month to the exchange or local calling area to which extended area service is requested, as determined by a traffic study.

Service area maps show that the Ray/Kabetogama exchange is not contiguous with the International Falls exchange because the Ericsburg exchange lies between them. As the petition reads, therefore, the petitioning exchange is not adjacent to the petitioned exchange.

The EAS statute allows for adjacency between a petitioning exchange and a petitioned local calling area as well as a petitioned exchange. The International Falls exchange and the Ericsburg exchange form a local calling area because they are contiguous with each other and have EAS to each other.

Ray/Kabetogama petition sponsors have told Commission staff that their main goal is to obtain EAS with International Falls. The sponsors do not object to a clarification of the EAS petition, so long as the goal of obtaining EAS to International Falls is achieved.

The Commission will therefore consider the petition as between the petitioning Ray/Kabetogama exchange and the petitioned International Falls/Ericsburg local calling area. This configuration meets the adjacency requirement of Minn. Stat. § 237.161.

The EAS petitioners must next satisfy the traffic volume criterion of Minn. Stat. § 237.161. A traffic study showing the volume of traffic between the petitioning exchange and the petitioned exchange or local calling area must be submitted. Since in this case the petitioned local calling area has been found to be International Falls/Ericsburg, the study must show if subscribers in the Ray/Kabetogama exchange make one or more calls per month to the International Falls/Ericsburg local calling area.

The Commission will therefore require GTE to submit traffic studies showing the traffic volume between the Ray/Kabetogama exchange and the Ericsburg/International Falls local calling area. Because GTE's previous traffic studies also included the Ranier exchange, they are not appropriate for this petition process.

ORDER

1. Within 30 days of the date of this Order, GTE shall file studies showing traffic volume between the Ray/Kabetogama exchange and the Ericsburg/International Falls local calling area.

2. Within 10 days of the filing of the traffic studies, the Department of Public Service shall file a report and recommendation.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Susan Mackenzie
Acting Executive Secretary

(S E A L)